

1 **Education and Workforce Development Cabinet**

2 **Kentucky Board of Education**

3 **Department of Education**

4 **(New Administrative Regulation)**

5 **703 KAR 5:220. Recognition and Support for Schools and Districts.**

6 RELATES TO: KRS 160.346

7 STATUTORY AUTHORITY: KRS 158.6453; 158.6455, 160.346

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 158.6453 requires the Kentucky Board  
9 of Education (KBE) to create and implement a balanced statewide assessment program that  
10 measures the achievement of students, schools and districts, complies with the federal No Child  
11 left Behind Act of 2001, 20 USC secs. 6301 et seq., or its successor and ensures accountability.  
12 KRS 158.6455 requires the KBE after consultation to promulgate administrative regulations to  
13 establish systems of school and district accountability. KRS 160.345 requires the KBE to  
14 promulgate administrative regulations to establish a process and procedures for implementing  
15 intervention options.

16 Section 1. Definitions. For purposes of this section: (1) “Kentucky schools/districts of  
17 distinction” mean schools/districts that score in the Distinguished category of schools/districts  
18 within the Next Generation Learner Accountability (NGLA) model outlined in 703 KAR 5:200  
19 and have received the appropriate school/district accreditation from a recognized accreditation

1 organization. Districts that contain a persistently low-achieving school shall not be considered a  
2 Kentucky District of Distinction.

3 (2) “Kentucky schools/districts of high distinction” mean of those schools/districts that qualify as  
4 Kentucky schools/districts of distinction, those that score within the top 5% on the NGLA model.

5 (3) “Kentucky Proficient schools/districts” means those schools/districts that score in the  
6 Proficient category of schools/districts within the NGLA model outlined in 703 KAR 5:200.

7 (4) “Kentucky Proficient but declining schools/districts” means those schools/districts that score  
8 in the Proficient category of schools/districts within the NGLA model outlined in 703 KAR  
9 5:200 but fail to show continued improvement in the areas of

10 (a) achievement;

11 (b) gap;

12 (c) growth

13 (d) college/career readiness (at the middle school and high school levels); and

14 (e) graduation rate (at the high school level).

15 (5) “Kentucky schools/districts on the move” means

16 (a) Needs improvement schools/districts that move from low to middle or middle to high levels;

17 (b) Needs improvement schools/districts showing improvement in the NGLA model in the areas

18 of

19 1. achievement;

20 2. gap;

21 3. growth

22 4. college/career readiness (at the middle school and high school levels); and

23 5. graduation rate (at the high school level); or

1 (c) Needs improvement schools/districts with an overall score on the NGLA model indicating the  
2 school/district is in the top 10% of improvement.

3 (6) “Needs improvement schools/districts” means those schools/districts that score in the Needs  
4 Improvement category of schools/districts within the NGLA model outlined in 703 KAR 5:200.

5 Needs improvement schools/ districts shall be divided into three levels: low, middle and high.

6 (7) “Persistently low-achieving districts” means those districts that score in the lowest-scoring  
7 category of districts within the NGLA model outlined in 703 KAR 5:200.

8 (8) Persistently low-achieving schools” means those schools that meet the statutory definition  
9 outlined in KRS 160.346.

10 Section 2. Conditions. (1) Schools/districts identified under the definitions in Section 1 (1), (2),  
11 (3), and (5) shall continue to meet eligibility criteria in order to retain their designation and  
12 receive recognition for that category. In addition, Kentucky Proficient schools/districts shall  
13 show annual improvement in the areas of achievement, gap, college/career readiness (at the  
14 middle school and high school levels) and graduation rate (at the high school level) in order to  
15 maintain their status.

16 Section 3. Timelines for Recognition and Support. (1) The following timelines for implementing  
17 recognition and support shall be followed:

18 (a) Utilizing assessment data from the 2011-12 school year and each school year thereafter, all  
19 schools/districts shall be placed into one of the four categories within the NGLA model.

20 (b) Beginning with the 2011-12 school year, schools qualifying as persistently low-achieving  
21 schools shall receive consequences as outlined in KRS 160.346.

22 (c) Utilizing assessment data from the 2013-2014 school year and each school year thereafter, all  
23 eligible schools and districts shall receive recognition and support as outlined in this regulation.

1 Section 4. Recognition. (1) Schools and districts shall receive recognition as follows:

2 (a) Kentucky Schools/Districts of High Distinction shall receive the following recognition:

3 1. Kentucky Department of Education (KDE) approved web logo called “Kentucky

4 School/District of High Distinction”

5 2. Platinum Flag of Excellence

6 3. Ceremony with the Commissioner of Education.

7 (b) Kentucky Schools of Distinction shall receive the following recognition:

8 1. KDE approved web logo called “Kentucky School/District of Distinction”

9 2. Gold Flag of Excellence

10 (c) Kentucky Proficient Schools/Districts shall receive the following recognition:

11 1. KDE approved web logo called “Kentucky Proficient School/District”

12 2. Blue Flag of Excellence

13 (d) Kentucky Schools/Districts on the Move shall receive the following recognition:

14 1. KDE approved web logo called “Kentucky School/District on the Move”

15 2. Green Flag of Excellence.

16 Section 5. Support. (1) In addition to compliance with all federal No Child Left Behind Act

17 (NCLB) guidelines, the following schools/districts shall receive support or consequences:

18 (a) Schools identified pursuant to KRS 160.340 as persistently low-achieving schools shall

19 receive assistance and sanctions as required by that statute.

20 (b) The lowest 20% of elementary, middle and high schools identified in the Needs improvement

21 category shall comply with the following:

- 1 1. Within ninety (90) days of receiving the annual accountability data, revise the school or  
2 district comprehensive improvement plan and submit it for approval by the KDE. The plan shall  
3 be posted to the school's and district's website. The plan shall address the following areas:
  - 4 (a) Curriculum alignment within the school(s);
  - 5 (b) Evaluation and assessment strategies to continuously monitor and modify instruction to meet  
6 student needs and support proficient student work;
  - 7 (c) Professional development to address the goals of the plan;
  - 8 (d) Parental communication and involvement;
  - 9 (e) Attendance improvement and dropout prevention;
  - 10 (f) Activities to target the underperforming areas of achievement, gap, growth, college/career  
11 readiness and/or graduation rate; and
  - 12 (g) Technical assistance that will be accessed.
- 13 2. Participate in a set of improvement strategies outlined by either a school-level or a district-  
14 wide accreditation process.
- 15 3. If directed by the KDE, receive the assignment of a high-achieving partner school/district of  
16 similar demographics for mentor activities as directed by KDE.
- 17 4. Accept ongoing resources throughout the year as assigned or approved by the KDE.
  - 18 (c) Within the category of Needs Improvement, the remaining schools and districts not identified  
19 in Section 5 (1) (b) above, shall:
    - 20 (1) Within ninety (90) days of receiving the annual accountability data, revise the school or  
21 district comprehensive improvement plan. Upon approval, the plan shall be posted to the  
22 school's and district's website. The plan shall address the following areas:
      - 23 (a) Curriculum alignment within the school(s);

- 1 (b) Evaluation and assessment strategies to continuously monitor and modify instruction to meet
- 2 student needs and support proficient student work;
- 3 (c) Professional development to address the goals of the plan;
- 4 (d) Parental communication and involvement;
- 5 (e) Attendance improvement and dropout prevention;
- 6 (f) Activities to target the underperforming areas of achievement, gap, growth, college/career
- 7 readiness and/or graduation rate; and
- 8 (g) Technical assistance that will be accessed.
- 9 (d) If a school remains in the Needs improvement category and does not meet the definition of
- 10 being a Kentucky School on the Move for three consecutive years, it shall comply with the
- 11 strategies outlined in Section 5 (1) (b) above.
- 12 (e) Schools/districts that fall into the Proficient but declining category shall not receive targeted
- 13 state support under this regulation.